STATE OF ARIZONA FILED

## STATE OF ARIZONA

4 2006 **AUG** 

RETALIATORY DEPOSIT

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(MO) (NAIC NO. 30945)

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D	EPARTMENT OF INSURA	ANCEDEPT OF INSURANCE BY PM
In the Matter of	)	Docket No. 06A-155-INS
NATIONAL ALLIANCE INSURA	ANCE COMPANY )	ORDER RELEASING

Petitioner

Arizona Revised Statutes § 20-588 provides, in part, that deposited funds shall be released and returned to the Petitioner to the extent that such deposit is in excess of the amount required.

## FINDINGS OF FACT

- 1. National Alliance Insurance Company ("Petitioner"), a Missouri domiciled insurer, was issued its certificate of authority to transact mortgage guaranty insurance in Arizona effective December 26, 1973.
- 2. Effective July 29, 1991, Petitioner's authority to transact mortgage guaranty insurance was terminated and Petitioner was granted authority to transact casualty without workers' compensation, marine and transportation, property and vehicle insurance.
- 3. In accordance with A.R.S. §§ 20-230 and 20-582(3), the Director ordered Petitioner to make a retaliatory deposit with the Arizona State Treasurer ("Retaliatory Deposit"). The approximate current balance of the Retaliatory Deposit is \$30,000 (Thirty thousand dollars).
- 4. Upon a review of all existing retaliatory deposits, the Arizona Department of Insurance determined that Petitioner's Retaliatory Deposit is no longer required pursuant to A.R.S. § 20-230 and that it is appropriate to release the Retaliatory Deposit to the Petitioner.

## **CONCLUSIONS OF LAW**

1. The Director has no personal liability for the release of such deposit so made by her 2 in good faith as provided in A.R.S. § 20-588(B). 3 2. Petitioner is entitled to the release of its Retaliatory Deposit pursuant to A.R.S. 4 § 20-230 and 20-588(A)(2). 5 **ORDER** 6 THEREFORE IT IS ORDERED that Petitioner's Retaliatory Deposit shall be released to 7 Petitioner. 8 Dated this 3th day of August, 2006 9 10 11 **Director of Insurance** 12 13 14 Ted Hume, President 15 National Alliance Insurance Company P.O. Box 66937 16 St. Louis, MO 63166-6937 17 Steve Ferguson, Assistant Director 18 Ed Caldwell, Chief Analyst – Foreign and Alternative Markets Leslie Hess, Legal Analyst 19 Herbert Swafford, Legal Analyst Department of Insurance 20 2910 N. 44<sup>th</sup> Street, Suite 210 Phoenix, AZ 85018 21

Curvey Walters Burton Survey

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